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TELECOPIER NO.: 1-703-872-9306  
CLIENT MATTER NO.: GNC-0007  
PATENT NO.: 6,167,428  
SENDER'S NAME: Carla P. McDuffie  
NO. OF PAGES: 5  
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COVER MESSAGE: Please see the attached Declaration Claiming Small Entity Status.

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DOCKET NO.: GNC-0007

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Frampton E. ELLIS

U.S. Patent No.

6,167,428

Issued Date:

December 26, 2000

For:

PERSONAL COMPUTER

MICROPROCESSOR

FIREWALLS FOR INTERNET

DISTRIBUTED PROCESSING

Application No.: 09/320,660

Filing Date: May 27, 1999

Attorney Docket No.:

GNC-0007

I, Carla McDuffie, certify that this correspondence is being sent via facsimile to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at facsimile number 703-872-9306.

On December 22, 2004  
Carla McDuffie

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed please find the following documents in reference to the above-captioned application. Applicants respectfully submit the following:

1. Declaration Claiming Small Entity Status (37 CFR 1.9 and 1.27 (b) –Independent Inventor.

**DOCKET NO.: GNC-0007**

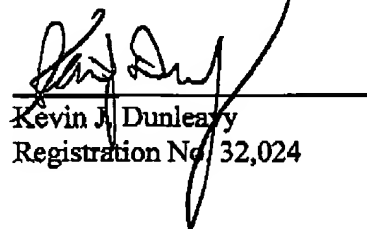
**PATENT**

This Declaration Claiming Small Entity Status demonstrates the applicant's entitled to pay the small entity maintenance fee and surcharge, on December 3, 2004, by virtue of the fact that the applicant was a small entity at that time.

Date: December 22, 2004

Customer No. 21,302  
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Respectfully submitted,



Kevin J. Dunleavy  
Registration No. 32,024

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DOCKET NO.: GNC-0007

PATENT

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703-872-9306 on 12/22/04.

*Carla McDuffie*  
Carla McDuffie

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION CLAIMING SMALL ENTITY STATUS

Sir:

I, Frampton E. Ellis, hereby declare as follows:

1. As the inventor and owner of the above-identified United States Patent, I hereby declare that since at least December 3, 2004, I have qualified as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the United States Patent and Trademark Office with regard to the invention described in the patent identified above.
2. Since at least December 3, 2004, I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(e) if that person had made the invention, or to any concern which

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U.S. Patent No. 6,167,428

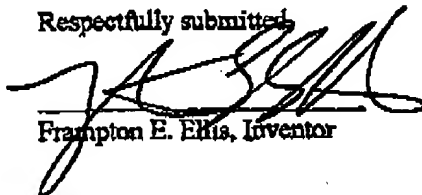
would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

3. Since at least December 3, 2004, I have not assigned, granted, conveyed or licensed or have been or am under any obligation under contract to assign, grant, convey, or license any rights in the invention of the United States Patent identified above.
4. I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that the statements were made with the knowledge that willful false statements and the like made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Dec. 22, 2004

Respectfully submitted,

  
Frampton E. Ellis, Inventor

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